

**IN LIEU OF
DIRECTORS' MEETING
ADDENDUM**

Monday, May 18, 2020

<https://www.youtube.com/lnktvcity> or <https://facebook.com/LNKTVcity>

**I. DIRECTORS CORRESPONDENCE
URBAN DEVELOPMENT**

1. Street & Alley Vacation No. 20002

II. CONSTITUENT CORRESPONDENCE

1. Lincoln Fairness Ordinance - Susan Knisely
2. Public Swimming Pools - Ann and John Neal

INTEROFFICE MEMORANDUM

TO: Mayor Gaylor Baird
& City Council Members

FROM: Michelle R. Backemeyer
Real Estate & Relocation
Assistance Agent

DEPARTMENT: City Council Office

DEPARTMENT: Urban Development Department

ATTENTION:

DATE: May 15, 2020

COPIES TO: Soulinnee Phan, City Clerk Office
David Cary, Planning
Jeff Kirkpatrick, City Attorney
Byron Blum, LTU
Geri Rorabaugh, Planning
Jennifer Brinkman, Mayor's Office

SUBJECT: Street Vacation No.20002
A portion of West Saunders Ave.
Intersecting at Cornhusker Highway

A request has been made by Mark Becher of John Galt Development to vacate a triangular portion of West Saunders Avenue where it intersects at Cornhusker Highway. The applicant owns both the property to the north and to the southeast. He currently maintains the property and would like to combine it with his holdings and do some additional improvements for ease of mowing and maintenance. The area to be vacated is approximately 3,485 square feet or 0.08 acre in size and has no direct access to Cornhusker Highway.

Upon inspection, the property is adjacent to gravel streets, there are City dead-end signs blocking any one from entering the property and there is a wooden landscape decoration beyond the City signs. Utility poles and lines are also in the vicinity, and it was requested by LES that easements be retained for their continued use. Staff report shows sanitary sewer and water mains appear on the City's One Call Viewer maps which will require easements to be retained.

It appears part of the property is in R-4 and part in H-3 and has been the subject of discussion as to the adjacent properties development potential. The property is small in size, lacks good access, located on unpaved streets, and with the retention of easements is unbuildable and has little value to anyone other than an abutting property owner. Land values in the area can range from \$4.00 to \$6.00/sf but in this case will be considered at the lower end of the range. Parcels such as these have limited value and 10% of fee value for assemblage is considered reasonable with the development issues associated with this parcel. Therefore, the area to be vacated is then calculated as follows:

$$3,485 \text{ sf} \times \$4.00 \times 10\% = \$1,394$$

Therefore, if the area is to be vacated, it is recommended that the area be sold to the applicant for \$1,394.

Respectfully submitted,



Michelle R. Backemeyer
Real Estate & Relocation
Assistance Agent

Angela M. Birkett

From: Susan Knisely <nlcsusan@yahoo.com>
Sent: Saturday, May 16, 2020 1:17 PM
To: Council Packet
Cc: Adelle L. Burk; Jennifer J. Brinkman; Mayor
Subject: Paralysis, unpredictability, and the Lincoln Fairness Ordinance

 **CAUTION: This email comes from a sender outside your organization.**

Dear City Council Members,

I write to share some recent thoughts on the status of Lincoln's Fairness Ordinance, which has been in unenforceable limbo for almost eight years. To me, our current state of pandemic paralysis highlights the folly of what appears to be the city's official strategy of inaction on this issue. The pattern is hard to ignore—city officials and city council members regularly point to bills introduced at the state level* as a reason to hold off on local action.

Just this February, several colleagues met with Jane Raybould to discuss plans to advance Lincoln's Fairness Ordinance. The primary question Jane had for my colleagues was what our group was going to do to support LB 627, Patty Pansing Brooks's bill to prohibit discrimination based upon sexual orientation and gender identity, at the state level.

Well, to answer Jane's question, here's what we did: we wrote letters to the editor that were published in the *Lincoln Journal Star*; we communicated with Pansing Brooks's staff; we participated in OutNebraska's Lobby Day; and we attended "Rally in the Rotunda," where we were led in a chant of "Now is the time!" (Please note the irony of being encouraged to chant "Now is the time," when we have been told repeatedly by local officials that now is NOT the time. What does "Now is the time" even mean?)

Then, in mid-March, in response to circumstances none of us could have predicted, the 2nd session of the 106th Legislature came to a screeching halt due to COVID-19. And there went our hope for LB 627, which Pansing Brooks had just prioritized in order to capitalize on growing support for the bill.

Which brings me to the present and my point. The suspension of our current legislative session is a perfect object lesson in why I don't think we should focus exclusively on a state-level solution, because what are we left with now except a long wait until the next session. If we want to succeed in protecting Nebraskans from discrimination based on sexual orientation and gender identity, we need to pursue our shared goal in multiple jurisdictions at once, because none of us can truly predict where we might succeed first. One thing I'm pretty sure about, though, is that being silent because we don't want to find out Lincoln is not the community we hoped we were is not an effective strategy for change. It is long past time for the Lincoln City Council to act definitively to add sexual orientation and gender identity to its anti-discrimination protections.

* *State senators have been introducing bills prohibiting discrimination in employment on the basis of sexual orientation and gender identity for a number of years now: LB 586, introduced by Adam Morfeld during the 1st session of the 104th Legislature and carried over into the 2nd session (2015/2016); LB 173, introduced by Morfeld during the 1st session of the 105th Legislature and carried over into the 2nd session (2017/2018); and LB 627, introduced by Patty Pansing Brooks during the 1st session of the 106th Legislature and carried over into the 2nd session (2019/2020).*

Susan Knisely

Fairness Lincoln / Action Committee Nebraska

Angela M. Birkett

From: Susan Knisely <nlcsusan@yahoo.com>
Sent: Sunday, May 17, 2020 2:28 PM
To: Council Packet
Cc: Mayor; aburke@lincoln.ne.gov; Jennifer J. Brinkman
Subject: Addendum to "Paralysis, Unpredictability, Lincoln Fairness Ordinance" email

■ **CAUTION: This email comes from a sender outside your organization.**

This is the kind of story that makes me think putting off local efforts to enact a Fairness Ordinance, in the hope that state-level legislation will pass, is ill-advised. How many years are we willing to wait?

Kansas City Star, May 15, 2020:

"For 22nd year in a row, push to outlaw anti-LGBTQ discrimination fizzles in Missouri"

<https://www.kansascity.com/news/politics-government/article242752551.html>

Susan Knisely

May 12, 2020

Dear Mayor Gaylor Baird and City Council Members:

We are writing to express our support for opening public swimming pools this summer. We read in the Journal Star that concerns with opening the pools were both budgetary and health related. We would like to share some thoughts on these matters.

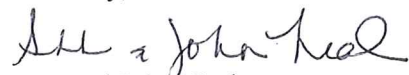
First, in response to concerns about the budget: Swimming pools provide a safe and health-driven opportunity for children to play, practice, and compete in swimming and diving. As you know, since March, our kids have had all of their normal activities cancelled due to COVID-19. Now, as the City and State are looking to relax some restrictions, it is important to provide the chance for our children to experience some sense of normalcy. We all understand that there will likely be a "new normal" in our communities for an extended period of time, but it is also important for our children to be able to experience a part of summer in a safe manner. It is well worth spending budgetary dollars to open, if not all, some of the public swimming pools throughout our city. Community support for our swimming pools and City Parks and Recreation programs is strong. In past years, when there has been consideration to not open public pools, the community clearly expressed their opinion that summer swimming and diving opportunities are an important investment for our children and families and should not be restricted or eliminated. You will find that this position has not changed. Access to public pools is an important offering by the City and should not be lost, especially in a year when so many other activities for children and families have been sacrificed. If a limited number of public pools could be opened, perhaps two locations, Wood Park Pool and Star City Shores, should be considered. These two pools provide the widest range of recreation and practice/competition opportunities. Since the City budget relies heavily on people being out in our community, working, playing, and spending money, it seems counterproductive to close venues and events that can promote, in a safe manner, people doing just that.

Governor Ricketts recently announced that youth softball and baseball teams can resume practicing on June 01, 2020 and competitions may resume on June 18, 2020. He also stated that individual sports may train without restriction as long as they practice social distancing and any health directives. Swimming and diving are both individual sports and not restricted by the current moratorium on team sports/activities. We respectfully request that sports and activities, in addition to softball and baseball, be given this same opportunity and consideration. Many swimming and diving clubs, both City and private, use Woods Park Pool to train for year-round competitions. Woods provides a 50 meter pool and 5, 7, and 10 meter platforms for City Rec, private clubs, and University of Nebraska athletes to train. There is no other facility in all of Nebraska that provides this type of opportunity to these athletes and there is no way to make up for the loss of this level of training, if Woods does not open for the summer. City Rec, club, and University of Nebraska athletes all train early in the morning, before the pool opens to the public, and it could easily be coordinated between pool staff and coaches that social distancing and other safety directives be observed. If it is determined that opening the pools to the general public is not feasible, we ask that you consider having Woods Pool open for athlete training purposes. Many of these young athletes are training for their collegiate future and competing for college scholarships.

Regarding concerns about safety: The Centers for Disease Control and Prevention has found no evidence that COVID-19 can be spread through properly treated pool water. The concern about health risks associated with swimming pools is attributed to use of bathrooms and locker rooms. Asking families to shower and dress before coming to the pool, to wear masks when entering and leaving the facility, and limiting access to bathhouses/locker rooms all seem to be reasonable alternatives. Some facilities are even providing the use of port-a-potty bathrooms, on site. As with restaurants and other venues that are now re-opening, pools could certainly find ways to follow all health directives and the benefits of providing the children, athletes, and families a sense of summertime would be well worth the time and energy to make it happen.

We hope you will consider the need for the public pools to open this summer and thank you for your time and efforts on the behalf of children and families in Lincoln.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann & John Neal". The signature is written in dark ink and is positioned above the printed name.

Ann and John Neal